



## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2011-0186]

#### **Inorganic Arsenic Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comments.

**SUMMARY:** OSHA solicits public comments concerning its proposal to extend the Office of Management and Budget's (OMB) approval of the information collection requirements specified in the Inorganic Arsenic Standard.

**DATES:** Comments must be submitted (postmarked, sent, or received) by [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **ADDRESSES:**

*Electronically:* You may submit comments and attachments electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions online for submitting comments.

*Docket:* To read or download comments or other material in the docket, go to <http://www.regulations.gov>. Documents in the docket are listed in the <http://www.regulations.gov> index; however, some information (e.g., copyrighted material) is not publicly available to read or download through the website. All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office for assistance in locating docket submissions.

*Instructions:* All submissions must include the agency name and OSHA docket number (OSHA-2011-0186) for the Information Collection Request (ICR). OSHA will

place all comments and requests to speak, including personal information, in the public docket, which may be available online. Therefore, OSHA cautions interested parties about submitting personal information such as social security numbers and birthdates. For further information on submitting comments, see the “Public Participation” heading in the section of this notice titled **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Seleda Perryman or Theda Kenney, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone (202) 693-2222.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (i.e., employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)). This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA’s estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (OSHA Act) (29 U.S.C. 651 et seq.) authorizes information collection by employers as necessary or appropriate for enforcement of the OSH Act, or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657). The OSH Act also requires that OSHA obtain such information with minimum burden upon employers, especially those operating small businesses, and to reduce to the maximum extent feasible unnecessary duplication of efforts in obtaining information (29 U.S.C. 657).

The information collection requirements in the Inorganic Arsenic Standard provide protection for workers from the adverse health effects associated with exposure to inorganic arsenic. The Inorganic Arsenic Standard requires employers to: monitor workers' exposure to inorganic arsenic, and notify workers of exposure-monitoring results; establish, implement, and update at least annually a written compliance program to reduce exposures to or below the permissible exposure limit by means of engineering and work practice controls; notify anyone who cleans protective clothing or equipment of the potentially harmful effects of inorganic arsenic exposure; develop, update, and maintain a housekeeping and maintenance plan; monitor worker health by providing medical surveillance; post warning signs, and apply labels to shipping and storage containers of inorganic arsenic; develop and maintain worker exposure monitoring and medical records; and provide workers with information about their exposures and the health effects of exposure to inorganic arsenic.

## **II. Special Issues for Comment**

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply. For example, by using automated or other technological information collection and transmission techniques.

## **III. Proposed Actions**

OSHA is requesting that OMB extend its approval of the information collection requirements contained in the Inorganic Arsenic Standard (29 CFR 1910.1018). The agency is proposing an adjustment increase of 32 burden hours, from 10,389 hours to 10,430 hours. The increase in burden is due to an error in the calculations and a change in rounding of the burden hours and cost. The numbers are not rounded until the totals. The number of workers being monitored and receiving medical exams remains the same. The total capital cost remains the same \$1,120,896.

<i>Type of Review:</i>	Extension of a currently approved collection.
<i>Title:</i>	Inorganic Arsenic Standard (29 CFR 1910.1018).
<i>OMB Number:</i>	1218-0104.
<i>Affected Public:</i>	Business or other for-profits.
<i>Number of Respondents:</i>	889.
<i>Frequency of Response:</i>	On occasion; quarterly; semi-annually; annually.
<i>Total Responses:</i>	17,451.
<i>Average Time per response:</i>	Varies.
<i>Estimated Total Burden Hours:</i>	10,430.
<i>Estimated Cost (Operation and Maintenance):</i>	\$1,120,896.

#### **IV. Public Participation — Submission of Comments on this Notice and Internet**

##### **Access to Comments and Submissions**

You may submit comments in response to this document as follows: (1) electronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal; (2) by facsimile; or (3) by hard copy. **Please note:** While OSHA's Docket Office is continuing to accept and process submissions by hand, express mail, messenger, and

courier service, all comments, attachments, and other material must identify the agency name and the OSHA docket number for this ICR (Docket No. OSHA-2011-0186). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled “**ADDRESSES**”). The additional materials must clearly identify your electronic comments by your name, date, and docket number so the agency can attach them to your comments.

Due to security procedures, the use of regular mail may cause a significant delay in the receipt of comments. Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as social security numbers and dates of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download through this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> website to submit comments and access the docket is available at the website’s “User Tips” link. Contact the OSHA Docket Office at (202) 693-2350, (TTY (877) 889-5627) for information about materials not available through the website, and for assistance in using the internet to locate docket submissions.

## **V. Authority and Signature**

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 et seq.) and Secretary of Labor’s Order No. 1-2012 (77 FR 3912).

Signed at Washington, DC, on February 25, 2022.

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**James S. Frederick,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

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